

107 Rec'd PCT/AU 01 MAR 2006 PCT  
10/549951

In re Application

Inventors: Paul William Richard Harris and Margaret Anne Brimble  
Appl. No.: 10/549,951  
Filed: September 20, 2005

based from:

PCT No.: PCT/US2004/008108

Int. Filing Date: March 16, 2004

PATENT APPLICATION

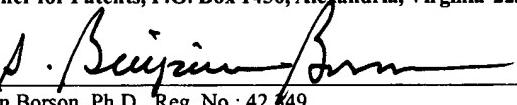
Art Unit:  
Examiner:

Customer No. 23910

Title: NEUROPROTECTIVE MACROCYCLIC  
COMPOUNDS AND METHODS FOR THEIR USE

**CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.

  
D. Benjamin Borson, Ph.D., Reg. No.: 42,549 (Attorney Signature)

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENT UNDER 35  
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US0)**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted, dated December 29, 2005, enclosed are the following documents in connection with the above-identified application:

- Copy of Notification of Missing Requirements Under 35 U.S.C. 371  
-- Filing Date Granted
- Declaration for Patent Application

Preliminary Amendment

**Small Entity Statement**

Applicant(s) qualify for small entity status under 37 C.F.R. § 1.27.

**Patent Application Filing Fee**

The patent application filing fee (if applicable) is calculated as shown below:

For	Number Filed	Number Extra	Rate Small Entity/Other Than Small Entity	Total
BASIC FILING FEE (37 CFR 1.16(a))			\$150.00 \$300.00	Pre paid
SEARCH FEE			\$250.00 \$500.00	\$250.00
EXAMINATION FEE			\$100.00 \$200.00	\$100.00
TOTAL CLAIMS (37 CFR 1.16(c))	33 - 20	13 *	X \$ 25.00 X \$ 50.00	\$325.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	8 - 3	5 *	X \$ 100.00 X \$ 200.00	\$500.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS (37 CFR 1.16(d))			+ \$180.00 + \$360.00	\$
UTILITY APPLICATION SIZE FEE (For each additional 50 sheets that exceeds 100 sheets)			+ \$125.00 + \$250.00	\$
			TOTAL	\$1175.00

\*If the difference in column 1 is less than zero, enter "0" in column 2.

**Total Fee**

The Total Fee associated with this communication has been calculated as shown below:

— Patent search, examination, and claims fee	\$1175.00
— Assignment recording fee (\$40.00)	\$

Surcharge under 37 C.F.R. §1.16(e) for  
late filing of filing fee or Declaration:

<input type="checkbox"/>	Large Entity	\$130.00	\$
<input checked="" type="checkbox"/>	Small Entity	\$ 65.00	\$65.00

**TOTAL FEE DUE:** **\$1240.00**

**Method of Payment of Fees**

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325.

Respectfully submitted,

Date: February 27, 2006

By: D. Benjamin Borson

D. Benjamin Borson, Ph.D.,  
Reg. No.: 42,349

**Customer No. 23910**  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,951✓	Paul William Richard Harris✓	NRNZ-01048US1✓
INTERNATIONAL APPLICATION NO.		
PCT/US04/08108✓		
I.A. FILING DATE		PRIORITY DATE
03/16/2004 ✓		03/20/2003 ✓
RECEIVED		
JAN - 3 2006		
FLIESLER MEYER LLP		
CONFIRMATION NO. 1343		
371 FORMALITIES LETTER		
 *OC000000017724818*		

Date Mailed: 12/29/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Small Entity Statement filed on 09/20/2005
- Request for Immediate Examination filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Priority Documents filed on 09/20/2005

Fliesler Meyer LLP  
 File: NRNZ-01048US1  
 Action Item: missing parts due  
 Date Due: February 28, 2006  
 Critical Date: June 29, 2006  
 Attorney Path: DRB  
 Docketed By: SCM  
 Verified By: PRMK

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$2400 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$2615 for a Small Entity:

1215

- \$65 Surcharge.

- The application search fee has not been paid. Applicant must submit \$50 to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit \$100 to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is \$ 2400

8 2400

- \$1800 for 18 independent claims over 3.
- \$600 for 24 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

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Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,951	PCT/US04/08108	NRNZ-01048US1

FORM PCT/DO/EO/905 (371 Formalities Notice)